

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CRIMINAL CASE NO. 3:07cr211-2

UNITED STATES OF AMERICA,)

)

)

vs.

)

ORDER

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)

VICTORIA L. SPROUSE.)

)

THIS MATTER is before the Court on the Defendant's Notice and Motion for Leave to Introduce Expert Testimony at Sentencing [Doc. 340].

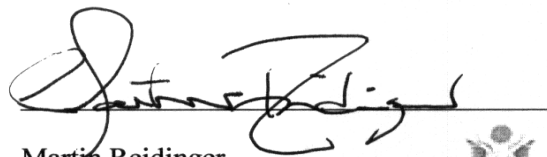
In the Defendant's earlier motion to continue the sentencing hearing, she requested leave to introduce expert testimony. [Doc. 328]. The motion to continue was granted on May 28, 2010 but the issue of expert witnesses was deferred. By Order entered on July 16, 2010, the request to introduce the testimony of Herbert Hoelter was granted and the request to introduce the testimony of Douglas Berman was denied. [Doc. 352].

In the interim, the Defendant renewed her motion for expert testimony. [Doc. 340]. That motion has been rendered moot by the Court's ruling in Document 352. It appears, however, that the second motion requested leave

to present the testimony of an additional proposed expert, Carolyn Blondin, concerning what would be reasonably foreseeable to a real estate closing attorney as the same relates to the assessment of loss. Provided that the Defendant properly qualifies this witness as an expert, the Court would allow her testimony at the sentencing hearing. Counsel are advised to prepare this testimony such that direct examination will be completed in thirty minutes and that cross examination will be completed in thirty minutes. If counsel believe that these time limitations are too stringent, counsel may apply to the Court in advance of the hearing for additional time citing the reasons why such testimony cannot be presented within these parameters.

IT IS, THEREFORE, ORDERED that the Defendant's Notice and Motion for Leave to Introduce Expert Testimony at Sentencing [Doc. 340] is hereby **DENIED** as moot as it relates to the testimony of Douglas Berman and Herbert Hoelter and is hereby **GRANTED** as it relates to the testimony of Carolyn Blondin.

Signed: July 16, 2010


Martin Reidinger
United States District Judge

